

REMARKS

By this amendment, claims 1-13, 17 and 19-38 are pending, in which claims 1-3, 7-9, 13, 17, 19-28, 30, 31, 35, and 36 are currently amended. Claims 14-16 and 18 were previously canceled. Support for the amendments can be found in the Specification, for example, in Figures 6 and 8 and in paragraphs [0050] and [0062] – [0069]. No new matter is introduced.

The Office Action mailed December 18, 2009 rejected claims 1-3, 5-9, 11-13, 17, 19-29, 33 and 35-38 as obvious under 35 U.S.C. § 103 based on Itani (US Pub. 2002/0065822) in view of Nadler *et al.* (US Pub. 2003/0070006); and rejected claims 4, 10, 30-32 and 34 as obvious under 35 U.S.C. § 103 based on Itani in view of Nadler *et al.*, and further in view of Maes *et al.* (U.S. Pub. 2003/0088421). These rejections are respectfully traversed.

With respect to the rejection of independent claims 1, 13, 17, 21, 23 and 27, Applicant respectfully submits that Itani and Nadler *et al.*, either taken alone or in combination, fail to disclose or render obvious the combinations of features recited in claims 1, 13, 17, 21, 23 and 27. In particular, Itani and Nadler *et al.* fail to disclose or render obvious “sending the reduced message targeted for the second network entity via a network, and causing, at least in part, **the invocation of the remote procedure call at the second network entity based on the reduced message,**” as recited in independent claim 1, and as similarly recited in independent claims 13, 17, 21, 23 and 27. As will be set forth in more detail below, the Office Action’s conclusion regarding obviousness is supported by no facts, rendering it legally deficient.

The Office Action, on page 3, acknowledges that Itani does not disclose invoking a remote procedure call at a second network entity for the second network entity via a network to process the remote procedure call at the second network entity, but cites paragraph [0199], lines 10-18, of Nadler *et al.*, in asserting that Nadler *et al.* remedies the deficiencies of Itani and that

“[i]t would have been obvious to one having ordinary skill in the art at the time the invention was made to include using a remote procedure call to send a message in order to provide for communication back and forth from two network entities.”

In pertinent part, lines 1-5 and 11-14 of paragraph [0199] of Nadler *et al.* (emphasis added), discloses that:

On the client side, **specific parameters and information about the method call in the InvokeContext data structure are first converted into a particular wire format (a stream of bytes or packet), and then this packet is sent to the remote server using a particular transport.** Use of these two interfaces **enables the remote service to understand the packet as a remote procedure call**, using the SOAP standard, for invocation of a particular method.

Nadler *et al.*, at best, describes a system that includes a methodology for a client to cast a generic interface class to a remote service having a defined interface, and that specific parameters and information about a method call are converted into stream of bytes or packet (see Nadler *et al.*, Abstract, and paragraphs [0196] – [0199]. Nadler *et al.* fails to disclose that the packet of Nadler *et al.* is a reduced message based on at least an unreduced representation of a variant portion of a web service message and a reduced representation of an invariant portion of the web service message, nor does Nadler *et al.* disclose that the packet is targeted for a second network entity via a network, and causing, at least in part, the invocation of the remote procedure call at the second network entity based on the reduced message.

Accordingly, combining Itani and Nadler *et al.* as proposed by the Office Action would not result in the claimed features of independent claims 1, 13, 17, 21, 23 and 27.

In addition, the applied references provide no reason why one having ordinary skill in the art would modify the system of Itani as proposed by the Office Action, but rather the stated reason on page 3 of the Office Action appears to be an opinion, which is unsupported by any

facts. Itani merely describes a system that is capable of compressing structured documents without impairing the visual recognizability of the data structure or flexibility/expandability of structured documents (see Itani, Abstract, and paragraphs [0020] and [0023] – [0026]). Nadler *et al.* does nothing to suggest the introduction of the claimed remote procedure call into such a system as that of Itani. The rationale presented in the Office Action appears to be nothing more than an agglomeration of bits and pieces of the claimed subject matter thrown together through the exercise of impermissible hindsight, without any of the “articulated reasoning with some rational underpinnings” required by the U.S. Supreme Court, *KSR Int’l Co. v. Teleflex, Inc.*, 127 S. Ct. 1727, 82 USPQ2d 1385(2007). Thus, the Office Action’s conclusion of obviousness relies on impermissible hindsight.

Therefore, independent claims 1, 13, 17, 21, 23 and 27 are patentable over Itani and Nadler *et al.* In addition, dependent claims 2, 3, 5-9, 11, 12, 19, 20, 22, 24-26, 28, 29, 33 and 35-38 are also patentable over Itani and Nadler *et al.*, at least in view of the patentability of the independent claims from which they variously depend, as well as for the additional features these claims recite. Accordingly, withdrawal of the rejection is respectfully requested.

With respect to the rejection of independent claim 30, the Office Action, on page 8, indicates that claim 30 is rejected for the same reasons as independent claim 1, and further in view of a mobile terminal that is allegedly disclosed by Maes *et al.* Applicant respectfully disagrees and submits that Itani, Nadler *et al.*, and Maes *et al.*, either taken alone or in combination, fail to disclose or render obvious the combinations of features recited in independent claim 30.

First, for similar reasons as set forth above with respect to independent claim 1, Itani and Nadler *et al.* fail to disclose or render obvious the forming of “an outgoing reduced message

based on at least an unreduced representation of a variant portion of a markup language web service message and a reduced representation of an invariant portion of the web service message, wherein the web service message is determined at the mobile terminal in response to invoking a remote procedure call via a network” as recited in independent claim 30.

Second, *Maes et al.* fails to cure these deficiencies of *Itani* and *Nadler et al.* *Maes et al.* merely describes a DSR framework that is compatible with Voice over IP protocol or wireless infrastructure (see *Maes et al.*, Abstract and paragraph [0234]) and does not disclose or render obvious forming an outgoing reduced message based on at least an unreduced representation of a variant portion of a markup language web service message and a reduced representation of an invariant portion of the web service message.

Therefore, independent claim 30 is patentable over *Itani*, *Nadler et al.*, and *Maes et al.* In addition, dependent claims 4, 10, 31, 32 and 34 are also patentable over *Itani*, *Nadler et al.*, and *Maes et al.*, at least in view of the patentability of the independent claims from which they variously depend, as well as for the additional features these claims recite. Accordingly, withdrawal of the rejection is respectfully requested.

Therefore, the present application, as amended, overcomes the rejections of record and is in condition for allowance. Favorable consideration is respectfully requested. If any unresolved issues remain, it is respectfully requested that the Examiner telephone the undersigned attorney at (703) 519-9952 so that such issues may be resolved as expeditiously as possible.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 504213 and please credit any excess fees to such deposit account.

Respectfully Submitted,

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March 18, 2010

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